



**US Army Corps
of Engineers**

Walla Walla District
Public Affairs Office

News Release

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Post-flooding repairs may require permits

WALLA WALLA, Wash. – Heavy rainfall during April led to increased flows and some minor flooding along several rivers in southern Idaho. People who want to do in-water work for flood protection or to repair damage following flooding should first check with state and federal officials to see if they need a permit for the work they want to do, advise regulatory officials from the U.S. Army Corps of Engineers.

The Walla Walla District of the U.S. Army Corps of Engineers administers the Regulatory Program in the State of Idaho under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Under these laws, a permit is required for most construction activities in waterways and wetlands. These include lakes and ponds, as well as intermittent and perennial rivers, streams, and creeks.

“During flood emergencies, we do all we can to streamline permit coordination with other federal, state and local agencies, and the public,” noted Brad Daly, Walla Walla District’s Regulatory Division chief. “Some limited repair and maintenance activities do not require a permit.”

The District’s Regulatory Division has eight project managers located in field offices in Coeur d’Alene, Boise and Idaho Falls, as well as the District headquarters in Walla Walla.

The following, bulleted information describes permit requirements for common flood protection and repair work in Idaho. Regulatory staff members are also available to answer questions on specific projects not mentioned below. In some cases, a regulatory specialist may be available to meet on-site to inspect problems and discuss permit requirements.

- A Corps permit is required for placing dredged (excavated) or fill material below the ordinary high water mark of a waterway or in wetlands. A Corps permit is also required for bulldozing gravel or other material below the ordinary high water mark or in wetlands.
- The Corps does not need to be contacted for work conducted above the ordinary high water mark and outside of wetland areas. A Corps permit is not required to place sandbags in uplands around a house or other structure that is threatened by floodwater, or to construct dikes or levees above the ordinary high water mark and outside of wetland areas.
- Permits are not required when front-end loaders, or similar bucket-type equipment, are used for emergency removal of gravel, fallen trees and other minor debris that may cause bank erosion or flooding. In general, debris should not be disposed in the waterway, high flow channels or wetlands. Removal activities conducted with a bulldozer or removal of large gravel and debris piles, however, require a permit and should be coordinated with Corps regulatory staff. Wholesale channel clearing, cleaning and relocation most likely require an individual permit application and is discouraged. In addition, high flow channels and wetlands, which can carry or store floodwaters, should not be blocked off. All material removed must be disposed of in an upland location and not disposed in waterways or wetlands.

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- Certain types of work are exempt from permit requirements unless located in navigable waters. Among these are repair of existing dikes, dams, levees, riprapped banks, breakwaters, causeways, bridge abutments and roadways damaged by recent flooding, if there is no change from the original design.
- In addition to the exempt activities listed above, there are several nationwide permits that authorize minor activities in waterways. Nationwide Permit-13 authorizes bank protection projects such as placing rock riprap along a riverbank or shoreline. To qualify for this nationwide permit, the rock must be placed at the point of erosion. Nationwide Permit-3 authorizes the excavation of gravel and debris in the immediate vicinity (not further than 200 feet) of bridges, culverts or other structures to restore the waterway to the approximate dimensions that existed when the structure was built. The excavated material must be disposed of in a location where it cannot reenter the waterway.

Proposed projects are not authorized in areas where federally listed, endangered or threatened species live until consultation is completed with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service. In emergency situations however, this may be expedited by using emergency consultation procedures. In addition, there may be regional and water quality certification conditions that may apply. Because of this, it is recommended people contact Corps and state regulatory officials for permit requirements relating to their specific situation.

“Often, questions may be answered over the telephone with little or no paperwork,” said Daly. “We make every effort to expedite required permits.”

A free information packet that explains permit requirements, and an application form is available on the District’s Web site, www.nww.usace.army.mil/html/offices/op/rf/rfhome.htm. For more information or to request this packet, contact the Corps regulatory office nearest you:

For work in Boundary, Bonner, Kootenai, Shoshone, and Benewah counties, contact Gregg Rayner at (208) 765-7256, Mike Doherty at (208) 765-7237, or Beth Reinhart at (208) 765-7440, in the Coeur d’Alene Regulatory Office.

For work in Latah, Nez Perce, Lewis, Clearwater and Idaho counties, contact Duane Mitchell at 509-527-7156, at the Walla Walla District Headquarters.

For work in Adams, Valley, Washington, Payette, Gem, Boise, Canyon, Ada, Elmore, and Owyhee counties, contact Greg Martinez at (208) 345-2154 or Eric Gerke at (208) 345-2286, in the Boise Regulatory Office.

For work in Camas, Blaine, Minidoka, Cassia, Gooding, Lincoln, Jerome, Twin Falls, Lemhi, Custer, Butte, Clark, Fremont, Jefferson, Madison, Teton, Bingham, Bonneville, Power, Oneida, Bannock, Caribou, Franklin, and Bear Lake counties, contact Rob Brochu (208) 522-1645 or James Joyner at (208) 522-1676, in the Idaho Falls Regulatory Office.

Idaho Department of Water Resources (IDWR) may also require a permit for work below the ordinary high water mark of perennial streams and rivers. For their permit requirements, contact their offices: in Coeur d’Alene at (208) 769-1450; in Boise at (208) 334-2190, in Twin Falls at (208) 736-3033, or in Idaho Falls at (208) 525-7161. The Corps and IDWR cooperate to expedite permit applications for all flood work.